

IN PIMA COUNTY SUPERIOR COURT

FILED
GARY L. HARRISON
CLERK, SUPERIOR COURT

2019 JAN -7 AM 9:12

AFFIDAVIT FOR SEARCH WARRANT

By: WANDELL, DEPUTY

YOUR AFFIANT, **Special Agent Cullen Conerly**, A PEACE OFFICER IN THE STATE OF ARIZONA AND EMPLOYED BY THE UNITED STATES DRUG ENFORCEMENT ADMINISTRATION, BEING FIRST DULY SWORN, UPON OATH, DESPOSES AND SAYS:

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That on or about the 28th day of October 2018, a public offense in violation of Arizona Revised Statutes:

- A.R.S. 13-1003, Conspiracy, a class 2 felony,
- A.R.S. 13-2312, Illegally Conducting an Enterprise, a class 3 felony,

was or is being committed in the County of Pima, State of Arizona.

YOUR AFFIANT (has probable cause to believe) that:

{X} on the person(s) of:

- Jesse Jonas Lee VALENZUELA, DOB 02/21/1985, 6'0", 196 pounds, Brown hair, Brown eyes, SSN [REDACTED]-0590

{X} in and upon the premises (including all buildings, structures, rooms, equipment, and vehicles used in connection or located within the curtilage of said premises) known and described as:

- 3422 South Portia Ave., Tucson, Arizona 85730 is a light brown colored single story residence. The front door faces East and the numbers "3422" are affixed to the front of the house in gold lettering directly to the left of the front door entrance. The residence has two large Italian Cypress trees in the front yard. A large green air conditioning unit is affixed to the top of the flat roof. The doors and windows on the front of the residence are secured with white security bars. The residence is located in the southwest corner

of the intersection of South Portia Ave. and East Celeste Dr. ***SEE ATTACHMENT B***

{ } in vehicle(s) described as:

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there is certain person (s), property or things

{X} is the subject of an outstanding arrest warrant and/or is wanted for the above mentioned charges

{ } Which are stolen or embezzled

{X} Which were used as means for committing a public offense

{X} Which are being possessed with intent to use as a means of committing a public offense

{ } Which are in the possession of to whom it was delivered for the purpose of concealing it or preventing it from being discovered

{X} which consists of any item or constitutes any evidence which tends to show that a public offense has been committed such as being more fully described in the affidavit.

That said property or things are described as follows:

"SEE ATTACHMENT A"

That the following facts establish probable cause for believing that grounds for the issuance of a search warrant for the aforementioned items/persons exists:

Since January, 2018, Special Agents from the Drug Enforcement Administration Sierra Vista Resident Office have been working a joint investigation with the Cochise County Sheriff's Office and the Arizona Department of Public Safety (DPS). On October 22, 2018, agents obtained Pima County Superior Court Order 18-WT-0001 authorizing the interception of wire communications to and from (520) 262-5584 (Target Telephone Four or TT-4) used by Francisco OSORIO-Nava. OSORIO-Nava was identified as a methamphetamine, heroin, and fentanyl pill source of supply operating out of Tucson, Arizona.

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On October 28, 2018, at approximately 7:45 a.m., reference TT-4 call session 90, OSORIO-Nava received an incoming text message from a subject later identified as Jesse VALENZUELA, using phone number (520) 241-0368. The text message read, "Ima need 4 windows later today but i need a cheaper price lb are going for 1800 out here and thats 1 at a time i get 4 at a time." Your Affiant is aware from his training and experience that pounds of methamphetamine in Tucson are currently being sold for prices ranging from \$1400 to \$3200 per pound. Your Affiant is also aware that "windows" are a slang term for crystal methamphetamine due to its clear appearance.

On the same date, reference TT-4 call session 92, OSORIO-Nava replied, "Ok, i can give it to you for 2250 each." Reference call session 93, VALENZUELA replied, "22." Reference call session 94, OSORIO-Nava replied, "2250 this time bro, u are saving 400 already." Reference call session 95, VALENZUELA replied, "Bro that's still 450 a lb u guys are the most expensive they are going for 1800." Reference call session 96, OSORIO-Nava replied, "Ok 22, ill talk to you when I meet u later, let me know when u ready." On the same date, at approximately 5:25 p.m., reference TT-4 call session 98, VALENZUELA sent OSORIO-Nava a text message which read, "Meet at my friends at 615." Reference call session 100, OSORIO-Nava replied, "I need 25 min more, 640?" Reference call session 103, VALENZUELA replied, "Ok."

Investigators attempted to conduct surveillance of the meeting between OSORIO-Nava and VALENZUELA, however, OSORIO-Nava recently began driving a black Toyota Corolla and investigators were unable to install a tracker on OSORIO-Nava's Corolla until October 31, 2018. On the same date, at approximately 6:45 p.m., reference TT-4 call session 107, OSORIO-Nava called VALENZUELA and explained that he was near Freeway and Grant and was on the way to the undisclosed meeting location. VALENZUELA acknowledged and stated that he was already at the meeting location. OSORIO-Nava acknowledged and asked for VALENZUELA to wait for a few more minutes. Investigators searched known areas frequented by OSORIO-Nava but were unable to locate OSORIO-Nava or VALENZUELA.

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On November 2, 2018, agents obtained a warrant through the Pima County Superior Court authorizing the disclosure of geo location (PING) data for phone number (520) 241-0368, utilized by VALENZUELA. (520) 241-0368 is an AT&T phone number subscribed to Mike Martinez with an address of 123 Your Street Your Town, GA 85706, activated on October 11, 2017. The ping data for (520) 241-0368 consistently showed the phone pinging at 3422 S Portia Ave., Tucson, Arizona 85730, to include during nighttime sleeping hours. On November 3, 2018, agents conducted a spot surveillance check at 3422 S Portia Ave. and observed a 2015 Ford pickup truck, bearing Arizona license plate BLJ1850, parked at the residence. The 2015 Ford pickup truck is registered to Jesse Jonas Lee VALENZUELA with an address of 3422 S Portia Ave., Tucson, Arizona 85730. On November 5, 2018, agents conducted a spot surveillance check at 3422 S Portia Ave., Tucson, Arizona and observed a 2015 Honda Civic, bearing Arizona license plate CEG9994, parked at the residence. The 2015 Honda Civic is registered to Jesse Jonas Lee VALENZUELA with an address of 3422 S Portia Ave., Tucson, Arizona 85730.

On November 7, 2018, OSORIO-Nava and his associate, Fabian CASTRO-Lopez, were arrested subsequent to a traffic stop by DPS in the vicinity of Davis Rd. south of Ruthrauff Rd. in Tucson, Arizona. DPS Troopers located approximately one pound of crystal methamphetamine underneath the front passenger seat of the white Honda Civic, bearing Arizona license plate CHK2650, driven by CASTRO-Lopez and occupied by OSORIO-Nava in the front passenger seat. Following the arrest of OSORIO-Nava and CASTRO-Lopez, DEA and DPS executed Pima County Superior Court Warrant No. 18SW1757 at a suspected stash house used by CASTRO-Lopez and OSORIO-Nava located at 1111 W St. Mary's Rd. Apartment 715. Inside the apartment, investigators located approximately 1500 fentanyl pills, 3.7 pounds of heroin, 3.6 pounds of methamphetamine, .88 pounds of cocaine, and \$8,800 United States Currency. Investigators then conducted a post-arrest interview of OSORIO-Nava at the DPS station in Tucson, Arizona. During the post-arrest interview, agents showed OSORIO-Nava VALENZUELA's driver's license photograph. OSORIO-Nava immediately recognized VALENZUELA to be an individual whom he knows as, "B." Investigators located a contact saved in OSORIO-Nava's phone, TT-4, with the name "B" and a phone number of (520) 241-0368. Investigators

asked OSORIO-Nava what a customer would be asking for if they ordered "windows." OSORIO-Nava explained that "window" is a synonym for glass, or methamphetamine, and confirmed that he did meet with VALENZUELA approximately two weeks ago and sold him four pounds of methamphetamine for \$2,200 per pound. Investigators also located approximately 114 pages of drug ledgers which included, "B" listed on many of the ledgers dating back to May, 2018, with amounts ranging from hundreds to thousands of dollars per transaction.

On November 27, 2018, at approximately 3:00 p.m., agents established physical surveillance of 3422 South Portia Avenue, Tucson, Arizona 85730. On the same date, at approximately 3:04 p.m., (520) 241-0368 pinged at the coordinates of 110 47 08.726W 32 10 52.909N with an 11 meter radius, with a Confidence Level of 68. This put the location of (520) 241-0368 within the range of VALENZUELA's residence located at 3422 South Portia Avenue, Tucson, Arizona, 85730.

On the same date, at approximately 3:20 p.m., agents observed a male, later identified as VALENZUELA, exit the residence, enter the Honda Civic bearing Arizona license plate CEG9994, and leave the residence. At approximately 3:26 p.m., while surveilling the vehicle, agents positioned themselves next to the Honda Civic by paralleling the Honda Civic in the next lane and observed the driver as the sole occupant of the vehicle. Simultaneously, agents called (520) 241-0368 and agents witnessed the driver pick up a cellular phone. At approximately 3:33 p.m., agents followed the Honda Civic as it drove by the Border Patrol building located at 2430 South Swan Road, Tucson, Arizona 85707. At approximately 3:35 p.m., (520) 241-0368 pinged at 110 53 30.407W 32 11 43.198N with a 19 meter radius, with a Confidence Level of 68. This put the location of (520) 241-0368 within the range of the Border Patrol building located at 2430 South Swan Road.

On the same date, at approximately 4:02 p.m., agents followed the Honda Civic to the Octopus Car Wash located at 2011 West Valencia Road, Tucson, Arizona 85746. At approximately 4:10 p.m., agents observed the unknown male driver exit his vehicle with an orange plastic bag in his hand. The unknown male was wearing a dark colored long sleeved shirt, dark colored pants, and black sunglasses. It was at this time agents determined that the driver of the vehicle could possibly be VALENZUELA based on his physical characteristics and his Arizona Driver License photograph. The male believed to be VALENZUELA walked over to another unknown individual that appeared to be working at the Octopus Car Wash. After the male believed to be VALENZUELA made contact with the

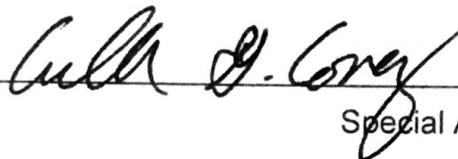
Octopus employee, the male believed to be VALENZUELA turned around and started walking back to his Honda Civic. At this time, agents called (520) 241-0368 and agents observed the individual believed to be VALENZUELA pick up his cellular phone and hang up his cellular phone. Agents filmed VALENZUELA as he picked up the phone at the car wash. At approximately 4:21 p.m., (520) 241-0368 pinged at the coordinates of 111 00 37.354W 32 08 01.497N with a 9 meter radius and a Confidence Level of 68. This placed (520) 241-0368 within the vicinity of the Octopus Car Wash.

Your Affiant knows, from prior training and experience in investigating drug crimes, that the aforementioned facts and circumstances show that VALENZUELA is actively engaged in the sales of methamphetamine and was an essential component of a drug trafficking conspiracy involving OSORIO-Nava and CASTRO-Lopez.. Further, your Affiant knows that a person who sells methamphetamine typically is engaged in the sales or use of other illicit drugs, to include but not limited to Marijuana, Cocaine, and/or Heroin. Further, your Affiant knows that persons who engage in illegal sales or use of illegal drugs often possess firearms in which are utilized to protect their drugs and proceeds from persons who wish to forcefully steal from the drug dealer. Your Affiant knows that four pounds is a "for sale" amount and OSORIO-Nava admitted to selling four pounds of methamphetamine to VALENZUELA.

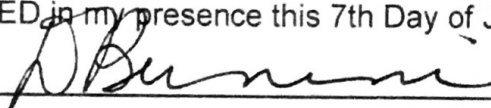
Your Affiant believes there is just and probable cause that VALENZUELA possesses items of evidentiary value inside 3422 South Portia Ave., Tucson, Arizona as listed above, that proves he is indeed engaged in the sales of methamphetamine. Your Affiant believes that VALENZUELA currently resides at 3422 South Portia Ave. and that there will be additional information pertaining to VALENZUELA's involvement in the Transnational Criminal Organization (TCO) involving VALENZUELA, OSORIO-Nava, and CASTRO-Lopez inside the residence. Your Affiant further knows that "fronting" is a common practice that drug dealers use to move their product and receive money at a later time, and the drug ledgers containing VALENZUELA's nickname, "B," further show that VALENZUELA was involved in the fronting of thousands of dollars worth of product.

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Your Affiant requests a daytime warrant be granted for Jesse VALENZUELA, DOB 02/21/1985, 3422 South Portia Ave., Tucson, Arizona 85730, and all buildings and vehicles found within the curtilage of the property. Your Affiant requests a search warrant be issued commanding a search be made of the persons, premises, buildings, and vehicles described herein for the property, persons and things herein described, and the same be retained in the custody of the Affiant or in the custody of the agency which the Affiant represents and disposed of according to law, pursuant to A.R.S. 13-3920.


Special Agent Cullen Conerly
Peace Officer for the State of Arizona

SWORN TO AND SUBSCRIBED in my presence this 7th Day of January, 2019


Honorable Judge Deborah Bernini
Pima County Superior Court